



Entered on Docket
March 10, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING
THIRTEENTH OMNIBUS
OBJECTION OF THE USACM
LIQUIDATING TRUST TO CLAIMS
FOR LACK OF DOCUMENTATION**

Hearing Date: February 21, 2008
Time: 9:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 The USACM Liquidating Trust (the "USACM Trust") filed its Thirteenth Omnibus
2 Objection to Claims for Lack of Documentation [DE 5580] (the "Objection") on January
3 7, 2008. Appropriate notice of the Objection was given. No responses were received by
4 USACM Trust counsel or filed with this Court. The Objection came before the Court for
5 hearing on February 21, 2008 at 9:30 a.m. Good cause appearing, it is

6 ORDERED:

- 7 • Sustaining the USACM Trust's Thirteenth Omnibus Objection to Claims for
8 Lack of Documentation; and
9 • Disallowing the Proofs of Claim listed on the attached Exhibit A without
10 prejudice to any rights the claimants listed in Exhibit A may have as Direct Lenders in a
11 particular loan.

12 ###

13 PREPARED AND SUBMITTED:

14 **LEWIS AND ROCA LLP**

15 By: /s/ RC (#0006593)

16 Susan M. Freeman

16 Rob Charles

17 John Hinderaker

17 *Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

Attorneys for USACM Liquidating Trust

USACM Liquidating Trust
**ORDER SUSTAINING THIRTEENTH OMNIBUS
OBJECTION OF THE USACM LIQUIDATING
TRUST TO PROOFS OF CLAIM FOR LACK OF
DOCUMENTATION**
BK-S-06-10725-LBR

<u>Creditor Name</u>	<u>Claim No.</u>	<u>Date Filed.</u>	<u>Amount</u>
Auffert, Eugene A. & Maria T. 534 Lambeth Court Henderson, Nevada 89014-3863	10725-01611	12/8/06	\$55,000.00
McConnell Family Trust DTD 12/3/81 970 Fair Way Drive Incline Village, Nevada 89451	10725-01667	12/8/06	\$54,500.00
Peter E. Sprock 2001 Trust c/o Peter E. Sprock, Trustee P.O. Box 4517 Stateline, Nevada 89449-4517	10725-01669	12/11/06	\$177,528.21
Burt Family Trust #1 & 2 c/o Donald E. Burt and Connie L. Cejmer, Trustees P.O. Box 2018 Quartzite, Arizona 85345	10725-01674	12/11/06	\$213,338.00
Kolbert, Carl 11200 Bonshire Drive Reno, Nevada 89511	10725-01690	12/11/06	\$49,521.00
Gordon, Marx 2620 Western Avenue Las Vegas, Nevada 89109-1112	10725-01709	12/11/06	\$115,000.00
Lim, Jay 208 Clarence Way Fremont, California 94539	10725-01713	12/11/06	\$24,448.00
Verusio Solutions LLC c/o Lim, Jay 208 Clarence Way Fremont, California 94539	10725-01714	12/11/06	\$10,315.00
Asselin, Robert 10305 Big Horn Drive Reno, Nevada 89506	10725-01733	12/11/06	\$110,000.00
Horgan, Patrick J. c/o Christopher D. Jaime, Esq. Maupin, Cox & Legoy 4785 Caughlin Parkway Reno, Nevada 89519	10725-02019	1/13/07	\$50,000.00

EXHIBIT A